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# TRANSMITTAL FORM

(To be used for all correspondence after initial filing)

Application No.	10/815,330
Filing Date	3/31/2004
First Named Inventor	Dennis R. Berman
Art Unit	3714
Examiner Name	Chanda L. Harris
Attorney Docket No.	TRV00-0001-R-1

Total Number of Pages in this Submission: 4

## ENCLOSURES (check all that apply)

- |   |  |  |
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| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input type="checkbox"/> Amendment/Response<br><input type="checkbox"/> After Final<br><input type="checkbox"/> Affidavit/Declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input checked="" type="checkbox"/> Information Disclosure Statement and PTO Form 1449<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Response to Missing Parts Notice/Incomplete Application<br><input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53 | <input type="checkbox"/> Assignment Papers for Application<br><input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Revocation of Power of Attorney with New Power of Attorney and Change of Correspondence Address<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Statement under 37 CFR 3.73(b)<br><input type="checkbox"/> Power of Attorney by Assignee, with Revocation of Former Powers<br><input type="checkbox"/> Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Credit Card Payment Form PTO-2038 | <input type="checkbox"/> Fee Address Indication Form<br><input type="checkbox"/> After-Allowance Communication to Technology Center (TC)<br><input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Status Inquiry<br><input type="checkbox"/> Response to Official Action mailed<br><input checked="" type="checkbox"/> Return Receipt Postcard<br><input type="checkbox"/> Additional Enclosure(s): |
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Remarks:

## SIGNATURE OF APPLICANT, ATTORNEY OR AGENT

Name	Hoyt A. Fleming III	Date	07/19/2006
Signature		Telephone	(208) 336-5237
Address	Park, Vaughan & Fleming LLP, P.O. Box 140678, Boise, ID 83714	Facsimile	(208) 342-5363

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## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the U. S. Postal Service as ☐ Express Mail or ☒ First Class Mail in an envelope addressed to: Mail Stop Amendment; Commissioner for Patents; P.O. Box 1450; Alexandria, VA 22313-1450 on 7/19/2006.

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**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97**

**Inventors:** Dennis R. Berman  
**Title:** LOCK-IN TRAINING SYSTEM  
**Filing Date:** 3/31/2004  
**Serial Number:** 10/815,330  
**Group Art Unit:** 3714  
**Examiner:** Chanda L. Harris

On an enclosed Form PTO-1449 is information known to applicant(s) and submitted pursuant to 37 C.F.R. § 1.56. A copy of each listed publication and foreign patent, except for pending U.S. applications, is being submitted herewith, along with a concise explanation of information in a foreign language, if any, pursuant to 37 C.F.R. § 1.97-1.98.

Applicants respectfully request that the listed information be considered by the Examiner and be made of record in the above-identified application. The Examiner is requested to initial and return the enclosed Form PTO-1449 in accordance with MPEP § 609.

This statement is not intended to represent that a search has been made or that the information cited in the statement is, or is considered to be, material to patentability as defined in § 1.56.

☒ This statement qualifies under 37 C.F.R. § 1.97, subsection (b) because (check all that apply):

- ☐ (1) It is being filed within 3 months of the application filing date  
-- OR --  
☐ (2) It is being filed within 3 months of entry of a national stage  
-- OR --  
☒ (3) It is being filed before the mail date of the first Office Action on the merits.

☐ 37 C.F.R. § 1.97(c). If this statement is being filed after the latest of: (1) three months beyond the filing date of a national application; (2) three months beyond the date of entry of the national stage as set forth in § 1.491 in an international application; or (3) the mailing date of a first Office action on the merits, but

before the mailing date of the earlier of a final office action under § 1.113 or a notice of allowance under § 1.311, then:

- ☐ a certification as specified in § 1.97(e) is provided below; **or**
- ☐ a fee of \$180.00 as set forth in § 1.17(p) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.
- ☐ 37 C.F.R. § 1.97(d). If this statement is being filed after the mailing date of the earlier of a final office action under § 1.113 or a notice of allowance under § 1.311, but before payment of the issue fee, then:
- A. a certification as specified in § 1.97(e) is completed below; **and**
- B. a petition under 37 C.F.R. § 1.97(d) requesting consideration of this statement is submitted herewith; **and**
- C. a fee of \$180.00 as set forth in § 1.17(p) is authorized below, enclosed, or included with the payment of other papers filed together with this statement.
- ☒ Statement under 37 C.F.R. § 1.97(e) - I hereby certify that either: each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign patent application not more than three months prior to the filing of the information disclosure statement; or no item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign patent application, and, to the knowledge of the person signing the statement after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement.

Respectfully submitted,

Name: Hoyt A. Fleming III  
Reg. No.: 41,752

Signature: \_\_\_\_\_



Date: 7/19/2006

Park, Vaughan & Fleming LLP  
P.O. Box 140678  
Boise, ID 83714  
(208) 336-5237

**28422**



# INFORMATION DISCLOSURE CITATION

PTO-1449

## Complete if Known

Application No.	10/815,330
Filing Date	3/31/2004
First Named Inventor	Dennis R. Berman
Group Art Unit	3714
Atty. Docket No.	TRV03-0001-1

## U.S. PATENT DOCUMENTS

EXAMINER'S INITIALS	PATENT NO.	DATE	NAME	CLASSIFICATION
	5,141,439	08-1992	Cousins, Edward J.	434/178
	6,186,795	02-2001	Wilson, Henry Allen	434/236

## FOREIGN PATENT DOCUMENTS

EXAMINER'S INITIALS	PATENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	Translation	
						Yes	No
						<input type="checkbox"/>	<input type="checkbox"/>
						<input type="checkbox"/>	<input type="checkbox"/>
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## OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)


EXAMINER

DATE CONSIDERED

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.